

F. JAMES SENSENBRENNER, JR., Wisconsin  
CHAIRMAN

HENRY J. HYDE, Illinois  
HOWARD COBLE, North Carolina  
LAMAR S. SMITH, Texas  
ELTON GALLEGLY, California  
BOB GOODLATTE, Virginia  
STEVE CHABOT, Ohio  
WILLIAM L. JENKINS, Tennessee  
CHRIS CANNON, Utah  
SPENCER BACHUS, Alabama  
JOHN N. HOSTETTLER, Indiana  
MARK GREEN, Wisconsin  
RICK KELLER, Florida  
MELISSA A. HART, Pennsylvania  
JEFF FLAKE, Arizona  
MIKE PENCE, Indiana  
J. RANDY FORBES, Virginia  
STEVE KING, Iowa  
JOHN R. CARTER, Texas  
TOM FEENEY, Florida  
MARSHA BLACKBURN, Tennessee

ONE HUNDRED EIGHTH CONGRESS

# Congress of the United States

## House of Representatives

### COMMITTEE ON THE JUDICIARY

2138 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6216

(202) 225-3951

<http://www.house.gov/judiciary>

September 3, 2003

JOHN CONYERS, JR., Michigan  
RANKING MINORITY MEMBER

HOWARD L. BERMAN, California  
RICK BOUCHER, Virginia  
JERROLD NADLER, New York  
ROBERT C. "BOBBY" SCOTT, Virginia  
MELVIN L. WATT, North Carolina  
ZOE LOPGREN, California  
SHEILA JACKSON LEE, Texas  
MAXINE WATERS, California  
MARTIN T. MEEHAN, Massachusetts  
WILLIAM D. DELAHUNT, Massachusetts  
ROBERT WEXLER, Florida  
TAMMY BALDWIN, Wisconsin  
ANTHONY D. WEINER, New York  
ADAM B. SCHIFF, California  
LINDA T. SANCHEZ, California

The Honorable F. James Sensenbrenner, Jr.  
Chairman  
Committee on the Judiciary  
U.S. House of Representatives  
2138 Rayburn House Office Building  
Washington, DC 20515

Dear Mr. Chairman:

We are writing to request that the Committee on the Judiciary hold hearings concerning the potential civil rights implications of the congressional redistricting plans in the State of Texas and the procedures attendant thereto.

The right to vote is among the most precious rights held by Americans, and few issues are more important to minorities than ensuring that their votes have a meaningful impact on the political process. The strength and vitality of a community depends on its ability to be adequately represented in government, and minority communities already are woefully underrepresented.

Unfortunately, the Republican redistricting plans proposed in Texas appear to make the situation worse by reducing the number of minority opportunity districts, moving minority voters into safe Republican districts, and diminishing the ability of minority voters to influence elections affecting their own communities. Given the unorthodox manner in which the redistricting plans are proceeding, this in and of itself would warrant Committee hearings.

To make matters worse, just last week, the Voting Section of the U.S. Department of Justice's Civil Rights Division reached the highly-questionable determination that the Texas State Senate could change its two-thirds rule without waiting for Section 5 pre-clearance review. The two-thirds rule provides that no bill can be debated on the Texas Senate floor without the approval of two-thirds of the senators. Texas Republicans would like to nullify the rule with respect to moving their redistricting plans because more than one-third of the senators, who represent large percentages of minority voters, object to the plans on the grounds that they diminish the votes of minority voters. In allowing the State Senate to move the Republican plans in violation of the two-thirds rule, the Voting Section essentially is permitting the dilution of minority votes. Amazingly, the Section arrived at its decision before meeting with affected Texas

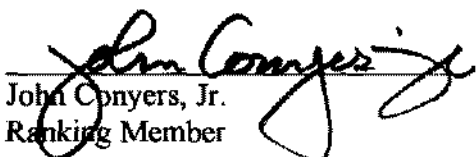
September 3, 2003

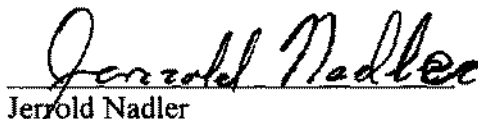
courts, a proposal to change the lines, especially for openly-stated partisan political purposes, deserves far greater scrutiny than the Section apparently has given it.

Congress created the Section 5 pre-clearance process for the express purpose of ensuring that jurisdictions with a history of discrimination against minority voters would be subject to vigorous oversight by the Justice Department and so that this terrible history would never be repeated. With its authority over the approval of redistricting plans, the Voting Section should conduct its reviews and analyses with the utmost care and consideration. Sadly, it appears that the Section may have fallen subject to political pressures in this instance, further buttressing the need for hearings by this Committee.

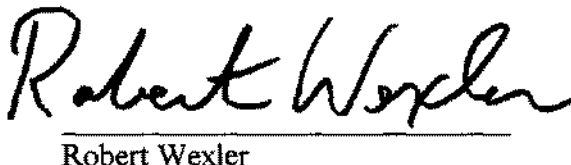
Thank you for your consideration of this matter.

Sincerely,

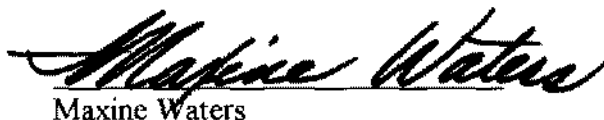
  
John Conyers, Jr.  
Ranking Member

  
Jerrold Nadler

  
Sheila Jackson Lee

  
Robert Wexler

  
Zoe Lofgren

  
Maxine Waters

  
Martin T. Meehan

  
Melvin L. Watt

  
Linda T. Sanchez

cc: The Honorable Steve Chabot  
Ranking Member  
Subcommittee on the Constitution